


[Donc713] [Order Converting/Reconverting Case from Chapter 7 to Chapter 13]

ORDERED.

Dated: December 21, 2018


Cynthia C. Jackson
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re:

Case No. 6:18-bk-06338-CCJ
Chapter 13

Manuel Menize Jr.

Ruth Elizabeth Menize

Debtor* /

ORDER CONVERTING CASE FROM CHAPTER 7 TO CHAPTER 13

THIS CASE came on for consideration without a hearing on the Notice of Conversion (Document No. 18)) under Section 706 of the Bankruptcy Code. The Court finds that Debtor is eligible for relief under Chapter 13 of the Bankruptcy Code. Accordingly, it is

ORDERED:

1. This case is converted to a case under Chapter 13 of the Bankruptcy Code.

2. All hearings pending in the Chapter 7 case are cancelled. Any pending Trustee's objection to Debtor's claim of exemptions, U.S. Trustee's motion to dismiss case, or U.S. Trustee's motion objecting to discharge are abated until further notice from the Court. If the case is reconverted to a Chapter 7, the Court will schedule a hearing on these abated motions without further action by the movant.

3. Pursuant to Local Rule 4001-1(c)(5), any motion for relief from stay pending as of the date of this order is abated until the movant files an amended motion for relief from stay in the converted case and serves it on the appropriate parties.

4. The Trustee or any party in interest may, within 14 days from the date of this order, file a motion for reconsideration. The 14 day reconsideration period does not extend the time for the debtor to file the bankruptcy schedules and other papers required by 11 U.S.C. § 521.

*All references to "Debtor" shall include and refer to both of the debtors in a case filed jointly by two individuals.

The Clerk's office is directed to serve a copy of this order on interested parties.

NOTICE REGARDING CONVERSION TO CHAPTER 13

1. The U.S. Trustee has scheduled an additional meeting of creditors pursuant to 11 U.S.C. § 341, for January 24, 2019 at 09:00 AM in George C. Young Courthouse, Suite 1202–A, 400 West Washington Street, Orlando, FL 32801 at which time Debtor and Debtor's attorney shall appear in person. The § 341 meeting may be adjourned from time to time without further written notice.

2. The U.S. Trustee has appointed the standing Chapter 13 Trustee:

Laurie K Weatherford
Post Office Box 3450
Winter Park, FL 32790

3. Confirmation hearing has been initially scheduled for February 19, 2019 at 09:30 AM in Courtroom 6D, 6th Floor, George C. Young Courthouse, 400 West Washington Street, Orlando, FL 32801. Debtors and their attorneys are not required to attend the Initial Confirmation Hearing because, in most cases, the Initial Confirmation Hearing will be continued to a date after the deadline for filing proofs of claim. However, the Court will hear and may rule on motions and objections that are separately noticed for hearing for the same time as the Initial Confirmation Hearing.

4. March 25, 2019 is the last day for filing a complaint seeking an exception to discharge under 11 U.S.C. § 523(a)(2) or (a)(4). If no such complaint is timely filed, the discharge will be granted and will encompass debts that might not be subject to discharge.

5. The deadline to file a proof of claim is March 1, 2019. Creditors who filed a proof of claim prior to the conversion of the case do not need to file a new proof of claim.

6. Within 14 days from the date of the Order Converting Case, Debtor shall file and serve the plan and file any unfiled Schedules or Statements required by Fed. R. Bankr. P. 1007 or the case may be reconverted.

7. Within 14 days from the date of the Order Converting Case, Debtor shall pay unpaid filing fees in the amount of N/A. Failure to pay unpaid fees may result in dismissal of the case or reconversion to Chapter 7. Payment shall be made by cashier's check or money order payable to

Clerk, U.S. Bankruptcy Court
George C. Young Federal Courthouse
400 West Washington Street
Suite 5100
Orlando, FL 32801

8. Avoid delays. You are reminded that Local Rule 5073–1 restricts the entry of cellular telephones and, except in Orlando, computers into the Courthouse absent a specific order of authorization issued beforehand by the presiding judge, a valid Florida Bar identification card, or pro hac vice order. Please take notice that as an additional security measure a photo ID is required for entry into the Courthouse.